

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE CARRIER IQ, INC. CONSUMER  
PRIVACY LITIGATION

**Case No. 12-md-2330-EMC**

**CLASS ACTION**

THIS DOCUMENT RELATES TO ALL  
CASES

**JOINT PROPOSED AGENDA BY  
CERTAIN PLAINTIFFS AND  
DEFENDANTS IN ADVANCE OF THE  
MAY 24, 2012 INITIAL CASE  
MANAGEMENT CONFERENCE**

Date: May 24, 2012

Time: 9:00 a.m.

Courtroom: 5

Assigned to the Honorable Edward M. Chen,  
Courtroom 5

Pursuant to the Court's May 1, 2012 Pretrial Order (Dkt. No. 20), Plaintiffs, by their undersigned counsel,<sup>1</sup> and Defendants, by their undersigned counsel, have met and conferred and respectfully submit the following joint proposed agenda items for the May 24, 2012 initial case management conference.

**I. Proposed Agenda Items**

**A. Organization of Counsel:**

**1. Appointment of Plaintiffs' Liaison and Lead Counsel**

In the period since the JPML transferred these cases to this Court, Plaintiffs' counsel have met and conferred in an attempt to reach a consensus on an organizational leadership structure. While discussions are continuing, no agreement has been reached. The Parties would like to discuss a schedule for the filing and briefing of motions under Fed. R. Civ. P. 23(g)(3) with the Court.

**2. Defendants' Liaison Counsel**

Counsel for Defendants have met and conferred and agreed that Fenwick & West LLP, counsel of record for defendant Carrier IQ, Inc., will act as Liaison Counsel for the Defendants.

**B. Filing of a Consolidated Amended Complaint and Motion Practice**

**1. Plaintiffs' Proposed Schedule**

There are multiple versions of Plaintiffs' complaints filed in this MDL action, and Plaintiffs intend to file a Consolidated Amended Complaint ("CAC").

Plaintiffs' counsel respectfully suggest that the Court set a date for Plaintiffs to file a CAC forty-five (45) days after appointment of lead counsel. The amendment of any other pleadings, if necessary, should be completed by this date as well.

Plaintiffs' counsel respectfully suggest that the Court set a date for all Defendants served with the CAC to answer, move or otherwise plead in response to the CAC forty-five

---

<sup>1</sup> This Submission is filed on behalf of all cases which the undersigned Plaintiffs' counsel have identified as member and related cases and have made contact with Plaintiffs' counsel in such cases.

(45) days after the filing of the CAC.

To the extent any Defendants file a motion to compel arbitration, Plaintiffs will seek discovery on arbitration-related issues and class discovery forthwith, and request that discovery not be stayed. Plaintiffs will seek additional time to respond to any motions to compel arbitration after completion of discovery.

Plaintiffs' counsel respectfully suggest that the Court set a date for any motion for class certification at a further case management conference after the CAC has been filed.

## **2. Defendants' Proposed Schedule**

Defendants do not oppose Plaintiffs' suggested deadline for filing a CAC of forty-five (45) days after appointment of lead counsel. Subject to reviewing the CAC, Defendants intend to file motions to compel arbitration pursuant to the arbitration agreements contained in the individual plaintiffs' service agreements with their wireless carriers. Defendants have included briefing on motions to compel arbitration in their proposed schedule:

### **a. Motions to Compel Arbitration**

Defendants shall file any motions to compel arbitration within forty-five (45) days after Plaintiffs file the CAC. Plaintiffs will be allotted forty-five (45) days to file their opposition, if any, and Defendants' reply will be due thirty (30) days thereafter.

### **b. Responsive Pleadings and Motions**

All Defendants' obligations to respond to the CAC shall remain stayed pending resolution of the motions to compel arbitration, including for any Defendants that do not file a motion to compel arbitration. If the Court denies Defendants' motions to compel arbitration, Defendants shall file their responsive pleadings within forty-five (45) days of the Order denying the motions to compel arbitration, subject to any stays of these proceedings pending any appeals of such an Order. If a Defendant files a motion as a responsive pleading, including a motion pursuant to Fed. R. Civ. P. 12, Plaintiffs' opposition to that motion shall be filed within forty-five (45) days, and the movant's reply shall be filed within thirty (30) days of the filing of the opposition.

///

c. Class Certification

Defendants' counsel respectfully suggest that the Court set a date for any motion for class certification at a further case management conference after the Court rules on Defendants' motions to compel arbitration.

**C. Case Management Orders,**

Counsel are familiar with the *Manual for Complex Litigation, Fourth*, particularly §§ 22.6, 22.61, 22.62 and 22.63 and have reviewed this Court's initial order on document preservation (Pretrial Order at 5). Plaintiffs' and Defendants' ("Parties") counsel are complying with and will continue to comply with all of their evidence preservation obligations under governing law.

**1. Plaintiffs' Proposal**

Plaintiffs respectfully suggest that a Confidentiality Order, a Document Preservation Order, an Expert Discovery Stipulation, and an ESI Order be negotiated and presented to the Court for consideration within thirty (30) days after appointment of Plaintiffs' leadership. Plaintiffs believe these orders are important to be in place in a timely fashion and that discovery will be necessary to address any Defendant's motion to compel arbitration, and so should not be delayed.

**2. Defendants' Proposal**

Because the relevant claims, defenses and parties in this case will not be known until after the CAC is filed and Defendants intend to compel arbitration of plaintiffs' claims, Defendants propose that any protective order or other orders addressing discovery issues be negotiated and presented to the Court only if the Court issues an order denying Defendants' motions to compel arbitration, and if so, within thirty (30) days of any such order. Until then, the Defendants shall continue to follow the Court's Order on Preservation of Evidence set forth in Paragraph 12 of its May 1, 2012 Pre-Trial Order.

///

///

///

1           **D.     Discovery**

2                   **1.     Plaintiffs' Proposal**

3           Plaintiffs respectfully suggest that the Court set a date for the exchange of Rule 26(a)  
4 initial disclosures after the Court has appointed Plaintiffs' leadership in this MDL action.

5           Plaintiffs further suggest that the Court set a date for Plaintiffs and Defendants to meet  
6 and confer and jointly submit a Discovery Plan to the Court no later than sixty (60) days from  
7 the date of appointment of lead counsel. To the extent any Defendants file a motion to compel  
8 arbitration, Plaintiffs will seek discovery on arbitration-related issues and class discovery  
9 forthwith, and request that discovery not be stayed.

10                   **2.     Defendants' Proposal**

11           Defendants respectfully request that discovery, including initial disclosures and  
12 development of a discovery plan, remain stayed until after the pleadings are set. As noted  
13 above, Defendants intend to file motions to compel arbitration of Plaintiffs' claims, which  
14 would preclude them from going forward in this Court. If those motions are denied, subject to  
15 seeing the CAC, Defendants intend to file motions to dismiss Plaintiffs' claims which will  
16 impact the relevant claims and defenses in this case, if any remain after those motions are  
17 decided. Additionally, Defendants anticipate that one or more of the existing Defendants will  
18 not be named as a defendant in the CAC. Accordingly, Defendants believe that judicial  
19 economy will be served and parties' resources conserved if all discovery, including initial  
20 disclosures and development of a discovery plan, should not commence until the pleadings are  
21 set.

22           **II.     Parties Agreeing to Have an Attending Attorney Represent the Party's Interest at**  
23                   **the Conference**

24           Pursuant to paragraph four of the Pretrial Order, certain parties with similar interests  
25 have agreed to have attending attorneys represent their parties' interest at the May 24, 2012  
26 initial case management conference.

27           ///

28           ///

Dated: May 17, 2012

Respectfully submitted,

/s/ Daniel L. Warshaw

/s/ Brian Strange

Bruce Lee Simon  
Daniel L. Warshaw  
PEARSON, SIMON, WARSHAW &  
PENNY LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, CA 91403  
(818) 788-8300  
Fax: (818) 788-8104  
bsimon@pswplaw.com  
dwarshaw@pswplaw.com

Brian R. Strange  
STRANGE & CARPENTER  
12100 Wilshire Blvd, Suite 1900  
Los Angeles, California 90025  
(310) 207-5055  
Fax: (310) 826-3210  
LACounsel@earthlink.net

*Representing Plaintiffs Israel  
Olivares, Clarissa Portales, Lisa  
Clark, Felipe Garcia, Robert  
Spradley, Mark Laning, James  
Douglas White*

*Representing Plaintiffs Daniel Pipkin,  
Chad Ulrich*

/s/ Christopher Collins

/s/ Steve W. Berman

Christopher Collins  
ROBBINS GELLER RUDMAN &  
DOWD LLP  
655 West Broadway  
Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
Fax: 619-231-7423  
chrisc@rgdlaw.com

Steve W. Berman  
Robert F. Lopez  
Hagens Berman Sobol Shapiro LLP  
1918 Eighth Avenue  
Suite 3300  
Seattle, WA 98101  
(206) 623-7292  
Fax: (206) 623-0594  
steve@hbsslw.com  
robl@hbsslw.com

*Representing Plaintiffs Robert Kleer,  
Jannet Linder*

*Representing Plaintiffs Patrick  
Kenny, Justin Sharp, Jeremy  
Feitelson, Greg Feitelson, Eric  
Thomas, Benjamin Lancaster,  
Colleen Fischer, Kurt Fairfield,  
Harry Sarafian, David Williams,  
Stephanie Wirth, John Swafford,  
Luke Szulczewski, Richard Rosenfeld,  
Michael Zemartis, Timothy Dodson,  
Evan Brooks, Marcus Neal, Brian  
Sandstrom, John Woods, Leonard  
Hobbs, and Kenneth Tishenkel*

---

/s/ Warren T. Burns

Warren T. Burns  
 SUSMAN GODFREY LLP  
 901 Main Street, Suite 5100  
 Dallas, Texas 75202  
 (214) 754-1928  
 Fax: (214) 754-1933  
 wburns@susmangodfrey.com

*Representing Plaintiff Caprice Ieyoub*

---

/s/ Jonathan Shub

Jonathan Shub  
 SEEGER WEISS LLP  
 1515 Market Street , Suite 1380  
 Philadelphia, PA 19102  
 (215) 564-2300  
 Fax: (215) 851-8029  
 jshub@seegerweiss.com

*Representing Plaintiff Kenneth  
 Cassine, Vishal Shah*

---

/s/ Ira P. Rothken

Ira P. Rothken  
 ROTHKEN LAW FIRM, LLP  
 3 Hamilton Landing, Suite 280  
 Novato, CA 94949-8248  
 (415) 924-4250  
 Fax: (415) 924-2905  
 ndca@techfirm.com

*Representing Plaintiffs Jennifer Sue  
 Patrick, Scott Lewis*

---

/s/ David Cialkowski

David Cialkowski  
 ZIMMERMAN REED, PLLP  
 1100 IDS Center, 80 South 8th Street  
 Minneapolis, MN 55402  
 (612) 341-0400  
 Fax: (612) 341-0844  
 David.Cialkowski@zimmreed.com

*Representing Plaintiffs Caryl Wolff,  
 Matthew Fosson, Elizabeth Fosson*

---

/s/ David A. Straite

David A. Straite  
 STEWARTS LAW US LLP  
 1201 N. Orange Street  
 Wilmington, DE 19801  
 (302) 298-1200  
 Fax: (302) 298-1222  
 dstraite@stewartslaw.com

*Representing Plaintiffs Jeffrey Pacilli,  
 Saima Mian, Amandeep Singh, Marilyn  
 Robledo*

---

/s/ Daniel Kotchen

Daniel Kotchen  
 KOTCHEN & LOW LLP  
 2300 M Street N.W., Suite 800  
 Washington, D.C. 20037  
 (202) 416-1848  
 Fax: (202) 280-1128  
 dkotchen@kotchen.com

*Representing Plaintiffs Sam  
 Stoltenburg, Amber Westenberger*

/s/ David I. Cates

David I. Cates  
CATES LAW FIRM  
216 West Pointe Drive  
Suite A  
Swansea, IL 62226  
618-277-3644  
Fax: (618) 277-7882  
dcates@cateslaw.com

*Representing Brandon Ivy-Perry, Jeremy  
Bain, Justin Conley, Laura Lebryk*

/s/ Michael Louis Kelly

Michael Louis Kelly  
KIRTLAND & PACKARD LLP  
2041 Rosecrans Avenue, Third Floor  
El Segundo, CA 90245-4923  
(310) 536-1000  
Fax: (310) 536-1001  
mlk@kirtlandpackard.com

*Representing Plaintiffs Lindsay  
Padilla, Eliezer Pilowsky, Steven  
Watts*

/s/ Christopher V. Tisi

Christopher V. Tisi  
HERMAN GEREL, LLP  
2000 L Street, N.W., Suite 400  
Washington, DC 20036  
(202) 783-6400  
Fax: (202) 416-6392  
cvtisi@aol.com

*Representing Plaintiffs Andrew Sanders,  
Rowena Silvera*

/s/ Ben Barnow

Ben Barnow  
BARNOW AND ASSOCIATES, P.C.  
One North LaSalle Street, Suite 4600  
Chicago, IL 60602  
(312) 621-2000  
Fax: (312) 641-5504  
b.barnow@barnowlaw.com

*Representing Plaintiff Andy  
Kacmarcik*

/s/ Timothy G. Blood

Timothy G. Blood  
BLOOD HURST & O'REARDON LLP  
701 B Street Suite 1700  
San Diego, CA 92101  
(619) 338-1100  
Fax: (619) 338-1101  
tblood@bholaw.com

*Representing Plaintiffs Caryl Wolff,  
Matthew Fosson, Elizabeth Fosson*

/s/ Daniel L. Germain

Daniel L. Germain  
ROSMAN & GERMAIN LLP  
16311 Ventura Boulevard, Suite  
1200  
Encino, CA 91436-2152  
(818) 788-0877  
Fax: (818) 788-0885  
Germain@lalawyer.com

*Representing Plaintiffs Caryl Wolff,  
Matthew Fosson, Elizabeth Fosson*



/s/ Larry D. Drury

Larry D. Drury  
LARRY D. DRURY, LTD.  
100 North LaSalle Street, Suite 1010  
Chicago, IL 60602  
(312) 346-7950  
Fax: (312) 346-5777  
ldrurylaw@aol.com

*Representing Plaintiff Michael Siegel*

/s/ Matthew L. Tuccillo

Matthew L. Tuccillo  
POMERANTZ HAUDEK  
GROSSMAN & GROSS LLP  
100 Park Avenue, 26th Floor  
New York, New York 10017  
(212) 661-1100, ext. 294  
Fax: (212) 661-8665  
mltuccillo@pomlaw.com

*Representing Plaintiff Peter Medine.  
Joseph Shapiro, Mo Khang*

/s/ Marc Lawrence Godino

Marc Lawrence Godino  
GLANCY BINKOW & GOLDBERG LLP  
1925 Century Park East  
Suite 2100  
Los Angeles, CA 90067  
310-201-9150  
Fax: (310) 201-9160  
mgodino@glancylaw.com

*Representing Plaintiff s Peter Medine.  
Joseph Shapiro, Mo Khang*

/s/ Shpetim Ademi

Shpetim Ademi  
ADEMI & O'REILLY, LLP  
3620 E. Layton Ave.  
Cudahy, WI 53110  
(414) 482-8000  
sademi@ademilaw.co

*Representing Plaintiff Andy  
Kacmarcik*

/s/ Curtis D. Johnson, Jr.

Curtis D. Johnson, Jr.  
JOHNSON & BROWN, PC  
11 South Idlewild Street  
Memphis, TN 38104  
(901) 725-7520  
Fax: (901) 725-7570  
cjohnson@johnsonandbrownlaw.com

*Representing Plaintiff Cheryl Eakins*

/s/ Charles E. Schaffer

Charles E. Schaffer  
LEVIN, FISHBEIN, SEDRAN &  
BERMAN  
510 Walnut Street  
Suite 500  
Philadelphia, PA 19106  
(215) 592-1500  
cschaffer@lfsblaw.com

*Representing Plaintiff s Erin Janek,  
Accident Investigative Services, Inc.,  
Kristina Cerrone, Mark Rottschafer*

/s/ Eric Davis Holland

Eric Davis Holland  
HOLLAND, GROVES, SCHNELLER  
AND STOLZE  
300 North Tucker Blvd  
Suite 801  
St. Louis, MO 63104  
(314) 241-8111  
Fax: (314) 241-5554  
eholland@allfela.com

*Representing Plaintiffs Joseph Cosme,  
Erin Janek, Elizabeth Lammert, Lisa  
Rosenburg, Margaret Elliott, Jerimiah  
Thomas Moree, Vlad Twerskoi, Mark  
Rottschäfer*

/s/ Michael A. Caddell

Michael A. Caddell  
Cynthia B. Chapman  
CADDELL AND CHAPMAN  
1331 Lamar  
Suite 1070  
Houston, TX 77010-3027  
(713) 751-0400  
Fax: (713) 751-0906  
mac@caddellchapman.com  
cbc@caddellchapman.com

*Representing Plaintiff Bobby Cline*

/s/ Joseph H Malley

Joseph H Malley  
LAW OFFICE OF JOSEPH H.  
MALLEY, PC  
1045 North Zang Boulevard  
Dallas, TX 75208  
(214) 943-6100  
Fax: (214) 943-6170  
malleylaw@gmail.com

*Representing Plaintiffs Israel Olivares,  
Clarissa Portales, Lisa Clark, Felipe  
Garcia, Robert Spradley, Mark Laning,  
James Douglas White*

/s/ Gary E. Klein

Gary E. Klein  
RODDY KLEIN & RYAN  
727 Atlantic Avenue  
2nd Floor  
Boston, MA 02111  
(617) 357-5500 ext. 15  
Fax: (617) 357-5030  
klein@roddykleinryan.com

*Representing Plaintiff Joshua Libby*

/s/ David S. Ratner

David S. Ratner  
MORELLI RATNER, P.C.  
950 Third Avenue  
New York, NY 10022  
(212) 751-9800  
Fax: (212) 751-0046  
DRatner@morellilaw.com

*Representing Plaintiff Chad Maron*

/s/ Jon D. Robinson

Jon D. Robinson  
BOLEN, ROBINSON & ELLIS,  
LLP  
2nd Floor  
202 South Franklin Street  
Decatur, IL 62523  
(217) 429-4296  
Fax: (217) 329-0034

*Representing Plaintiff Mark  
Rottschäfer*

/s/ Peter M. Van Dyke

Peter M. Van Dyke  
EAGAN, DONOHUE, VAN DYKE &  
FALSEY, LLP  
24 Arapahoe Road  
West Hartford, CT 06107  
(860) 232-7200  
Fax: (860) 232-0214  
pvd@eddf-law.com

*Representing Plaintiff Ryan McKeen*

/s/ Burton Rosenblatt

Burton Rosenblatt  
ELY BETTINI ULMAN  
3200 N Central Ave #1930  
Phoenix, AZ 85012

*Representing Plaintiff Jerimiah  
Thomas Moree*

/s/ Scott L. Keniley

Scott L. Keniley  
THE KENILEY LAW FIRM  
2 Ravina Drive  
Suite 500  
Atlanta, GA 30346  
(770) 263-0000  
Fax: (404) 420-2260  
scott@k5law.com

*Representing Plaintiff Mark Rottschaffer*

/s/ Michael M. Weinkowitz

Michael M. Weinkowitz  
LEVIN FISHBEIN SEDRAN &  
BERMAN  
510 Walnut Street  
Suite 500  
Philadelphia, PA 19106  
(215) 592-1500  
mweinkowitz@lfsblaw.com

*Representing Plaintiff Daniel  
Schlanger*

/s/ C. Richard Newsome

C. Richard Newsome  
NEWSOME LAW FIRM  
Suite 1500  
201 S. Orange Ave  
Orlando, FL 32801  
(407) 648-5977  
Fax: (407) 648-5282  
newsome@newsomelaw.com

*Representing Plaintiff William White, IV*

/s/ Mark Andrew Chavez

Mark Andrew Chavez  
Chavez & Gertler LLP  
42 Miller Avenue  
Mill Valley, CA 93941  
(415) 381-5599  
Fax: (415) 381-5572  
mark@chavezgertler.com

*Representing Plaintiff Andre  
Lavertue*

/s/ Paul R. Kiesel

Paul R. Kiesel  
KIESEL BOUCHER & LARSON LLP  
8648 Wilshire Boulevard  
Beverly Hills, CA 90211-2910  
(310) 854-4444  
Fax: (310) 854-0812  
Kiesel@kbla.com

*Representing Plaintiffs Eric Steiner,  
Adam Schwartz, Daniel Massey, Edward  
Shumate, Matthew Thornton, Yonatan  
Wadler*

/s/ Paul O. Paradis

Paul O. Paradis  
HORWITZ HORWITZ & PARADIS  
Attorneys at Law  
570 7th Avenue  
20th Floor  
New York, NY 10018  
(212) 986-4500  
Fax: (212) 986-4501  
pparadis@hhplawny.com

*Representing Plaintiff Yonatan  
Wadler*

/s/ Jay P. Salzman

Jay P. Salzman  
SCHOENGOLD & SPORN, PC  
19 Fulton Street, Suite 406  
New York, NY 10038  
(212) 964-0046  
Fax: (212) 267-8137

*Representing Plaintiff Yonatan Wadler*

/s/ J. Paul Gignac

J. Paul Gignac  
ARIAS, OZZELLO & GIGNAC  
LLP  
115 South La Cumbre Lane  
Suite 300  
Santa Barbara, CA 93105  
(805) 683-7400  
Fax: (805) 683-7401  
j.paul@aogllp.com

*Representing Plaintiff Matthew Hiles*

/s/ Reginald Von Terrell

Reginald Von Terrell  
THE TERRELL LAW GROUP  
Post Office Box 13315, PMB #148  
Oakland, CA 94661  
(510) 237-9700  
Fax: (510) 237-4616  
reggiet2@aol.com

*Representing Plaintiff Dennis Patrick*

/s/ Michael W. Sobol

Michael W. Sobol  
LIEFF CABRASER HEIMANN &  
BERNSTEIN, LLP  
Embarcadero Center West  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
(415) 956-1000  
Fax: (415) 956-1008  
msobol@lchb.com

*Representing Plaintiff Michael Allan*

/s/ Eduardo E. Santacana

Eduardo E. Santacana  
LIEFF CABRASER HEIMANN AND  
BERNSTEIN, LLP  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
(415) 956-1000  
Fax: (415) 956-1008  
esantacana@lchb.com

*Representing Plaintiff Michael Allan*

/s/ Marc A. Wites

Marc A. Wites  
WITES & KAPETAN, P.A.  
4400 North Federal Highway  
Lighthouse Point, FL 33064  
(954) 570-8989  
Fax: (954) 354-0205  
mwites@wklawyers.com

*Representing Plaintiff Curtis  
Dubberly*

/s/ Gregory B. Scarlett

Gregory B. Scarlett  
WASSERMAN, COMDEN,  
CASSELMAN AND ESENSTEN, LLP  
5567 Reseda Boulevard, Suite 330  
Tarzana, CA 91356  
(818) 705-6800  
Fax: (818) 996-8266  
gscarlett@wccelaw.com

*Representing Plaintiffs Rodney Shively,  
Lawrence Regis House, Jr.*

/s/ Bernard Daskal

Bernard Daskal  
LYNCH DASKAL EMERY LLP  
264 West 40th Street  
New York, NY 10018  
(212) 302-2400  
Fax: (212) 302-2210  
daskal@lawlynch.com

*Representing Plaintiff David Yastrab*

/s/ Daniel Kotchen

Daniel Kotchen  
Daniel Lee Low  
Kotchen and Low LLP  
2300 M Street NW  
Suite 800  
Washington, DC 20037  
(202) 841-7164  
Fax: (202) 280-1128  
dlow@kotchen.com  
dkotchen@kotchen.com

*Representing Plaintiffs Sam Stoltenburg,  
Amber Westerberger*

/s/ Michael Brown

Michael Brown  
PETERSON, BERK & CROSS  
200 E. College Avenue  
Appleton, WI 54912  
(920) 831-0330  
Fax: (920) 831-0165  
mbrown@pbclaw.com

*Representing Plaintiffs Sam  
Stoltenburg, Amber Westerberger*

/s/ James L. Ward, Jr.

James L. Ward, Jr.  
RICHARDSON, PATRICK,  
WESTBROOK & BRICKMAN, LLC  
1037 Chuck Dawley Blvd., Bldg. A  
P.O. Box 1007 (29465)  
Mt. Pleasant, SC 29464  
843-727-6500

*Representing Plaintiffs Sam Stoltenburg,  
Amber Westenberger*

/s/ Eric J. O'Bell

Eric J. O'Bell  
LAW OFFICES OF ERIC J. O'BELL  
3500 North Hullen Street  
Metairie, LA 70002  
(504) 456-8677  
Fax: (504) 456-8624  
ejo@obelllawfirm.com

*Representing Plaintiff Cameron Jones*

/s/ Manuel Dobrinsky

Manuel Dobrinsky  
ATTORNEY AT LAW  
One Biscayne Tower, Suite 3100, 2  
South Biscayne Boulevard  
Miami, FL 33131  
(305) 371-3666  
Fax: (305) 371-6725  
MDobrinsky@fdlaw.net

*Representing Plaintiffs Craig Schmidt,  
Leron Levy, Peter Lowden*

/s/ David I. Pankin

David I. Pankin  
LAW OFFICES OF DAVID I.  
PANKIN, P.C.  
48 Willoughby St.  
Brooklyn, NY 11201  
(718) 243-2444  
Fax: (718) 243-1144  
dpankin@pankinlaw.com

*Representing Plaintiff Jay Katz*

/s/ Paul Marett Brannon

Paul Marett Brannon  
BRANNON LAW FIRM, L.L.C.  
3500 North Hullen Street  
Metairie, LA 70002  
(504) 456-8600  
Fax: (504) 456-8697  
PMB@BrannonLawFirm.com

*Representing Plaintiff Cameron  
Jones*

/s/ Daniel Dennis Dolan, II

Daniel Dennis Dolan, II  
LITIGATION PARTNERS, P.L.  
One Biscayne Tower, Suite 3100  
2 South Biscayne Boulevard  
Miami, FL33131  
(305) 371-3666  
Fax: (305) 371-6725  
DDD@dolan-law.com

*Representing Plaintiff s Craig  
Schmidt, Leron Levy, Peter Lowden*

/s/ Peter J. McNulty

Peter J. McNulty  
MCNULTY LAW FIRM  
827 Moraga Drive  
Bel Air, CA 92101-1502  
(310) 471-2707  
Fax: (310) 472-7014  
peter@mcnultylaw.com

*Representing Plaintiff Amy Roberts*

/s/ Robert A. Curtis

Robert A. Curtis  
FOLEY BEZEK BEHLE &  
CURTIS, LLP  
15 West Carrillo Street  
Santa Barbara, CA 93101  
(805) 962-9495 x124  
Fax: (805) 962-0722  
rcurtis@foleybezek.com

*Representing Plaintiff Matthew Hiles*

/s/ Rosemary M. Rivas

Rosemary M. Rivas  
FINKELSTEIN THOMPSON LLP  
100 Bush St., Suite 1450  
San Francisco, California 94104  
(415) 398-8700, ext. 102  
Fax: (415) 398-8704  
RRivas@finkelsteinthompson.com

*Representing Plaintiff Dao Phong*

/s/ Daniel E. Gustafson

Daniel E. Gustafson  
Daniel C. Hedlund  
Joseph C. Bourne  
GUSTAFSON GLUEK PLLC  
650 Northstar East  
608 Second Avenue South  
Minneapolis, Minnesota 55402  
(612) 333-8844  
Fax: (612) 339-6622  
dgustafson@gustafsongluek.com  
dhedlund@gustafsongluek.com  
jbourne@gustafsongluek.com

*Representing Plaintiff George Howell*

/s/ Peter N. Wasylyk

Peter N. Wasylyk  
LAW OFFICES OF PETER N.  
WASYLYK  
1307 Chalkstone Avenue  
Providence, RI 02908  
(401) 831-7730  
Fax: (401) 861-6064  
pnwlaw@aol.com

*Representing Plaintiff Melissa J. Link*

/s/ Gabriel D. Zeldin

Gabriel D. Zeldin  
Steyer Lowenthal Boodrookas  
ALVAREZ & SMITH LLP  
One California Street, Suite 300  
San Francisco, CA 94111  
(415) 421-3400  
Fax: (415) 421-2234  
gzeldin@steyerlaw.com

*Representing Plaintiffs Matthew Branson, Kathryn Graffman, and Jason Simons*

1 /s/ John R. Climaco

2 John R. Climaco  
3 CLIMACO, LEFKOWITZ, PECA,  
4 WILCOX & GAROFOLI  
5 55 Public Square, Ste. 1950  
6 Cleveland, OH 44113  
7 (216) 621-8484  
8 Fax: (216) 771-1632  
9 jrclim@climacolaw.com

10 *Representing Plaintiffs Ashley L. Jones,*  
11 *Mario Jackson*

/s/ Scott J. Ferrell

Scott J. Ferrell  
James Byron Hardin  
NEWPORT TRIAL GROUP  
A PROFESSIONAL  
CORPORATION  
895 Dove Street, Suite 425  
Newport Beach, CA 92660  
(949) 706-6464  
Fax: (949) 706-6469  
jhardin@trialnewport.com  
sferrell@trialnewport.com

*Representing Plaintiffs Roseanne  
Castro, Josephine Gonzalez*

10 /s/ John T. Longo

11 John T. Longo, Esq.  
12 CITADEL CONSUMER LITIGATION,  
13 PC  
14 681 Smith Street, Suite 201  
15 Providence, RI 02908  
16 (401) 383-7550  
17 Fax: (401) 537-9185  
18 jtlongo@citadelpc.com

19 *Representing Plaintiff Dylan T. Ferreira*



1 Dated: May 17, 2012

FENWICK & WEST LLP

2 By: /s/ Rodger R. Cole

3 Rodger R. Cole (CSB No. 178865)

[rcole@fenwick.com](mailto:rcole@fenwick.com)

4 Molly R. Melcher (CSB No. 272950)

[mmelcher@fenwick.com](mailto:mmelcher@fenwick.com)

FENWICK & WEST LLP

Silicon Valley Center

801 California Street

Mountain View, CA 94041

Phone: (650) 988-8500

7 Fax: (650) 938-5200

8 Tyler G. Newby (CSB No. 205790)

[tnewby@fenwick.com](mailto:tnewby@fenwick.com)

9 Jennifer J. Johnson (CSB No. 252897)

[jjjohnson@fenwick.com](mailto:jjjohnson@fenwick.com)

10 FENWICK & WEST LLP

555 California Street, 12th Floor

11 San Francisco, CA 94104

Ph: (415) 875-2300

12 Fax: (415) 281-1350

13 Attorneys for Defendant

14 CARRIER IQ, INC.

15 Dated: May 17, 2012

GIBSON, DUNN & CRUTCHER LLP

16 By: /s/ Gail E. Lees

17 Gail E. Lees

[glees@gibsondunn.com](mailto:glees@gibsondunn.com)

18 S. Ashlie Beringer

[aberinger@gibsondunn.com](mailto:aberinger@gibsondunn.com)

19 Joshua A. Jessen

[jjessen@gibsondunn.com](mailto:jjessen@gibsondunn.com)

20 GIBSON, DUNN & CRUTCHER LLP

1881 Page Mill Road

21 Palo Alto, CA 94304

Phone: (650) 849-5300

22 Fax: (650) 849-5333

23 Attorneys for Defendant

24 APPLE INC.

1 Dated: May 17, 2012

MAYER BROWN LLP

2 By: /s/ Christopher J. Kelly

3 Christopher J. Kelly (SBN 276312)

4 [cjkelly@mayerbrown.com](mailto:cjkelly@mayerbrown.com)

MAYER BROWN LLP

Two Palo Alto Square, Suite 300

3000 El Camino Real

Palo Alto, CA 94306-2112

Phone: (650) 331-2000

Fax: (650) 331-2060

7 Evan M. Tager

8 [etager@mayerbrown.com](mailto:etager@mayerbrown.com)

Archis Parasharami

9 [aparasharami@mayerbrown.com](mailto:aparasharami@mayerbrown.com)

Andrew A. Nicely

MAYER BROWN LLP

1999 K Street N.W.

Washington, D.C. 20006

Phone: (202) 263-3000

Fax: (202) 263-3300

Attorneys for Defendant

AT&T MOBILITY LLC

1 Dated: May 17, 2012

MUNGER, TOLLES & OLSON LLP

2 By: /s/ Rosemarie T. Ring  
3 Rosemarie T. Ring (SBN 220769)  
4 [Rose.Ring@mto.com](mailto:Rose.Ring@mto.com)  
5 Jonathan H. Blavin (SBN 230269)  
6 [Jonathan.Blavin@mto.com](mailto:Jonathan.Blavin@mto.com)  
7 Victoria L. Boesch (SBN 228561)  
8 [Victoria.Boesch@mto.com](mailto:Victoria.Boesch@mto.com)  
9 Bryan H. Heckenlively (SBN 279140)  
10 [Bryan.Heckenlively@mto.com](mailto:Bryan.Heckenlively@mto.com)  
11 MUNGER, TOLLES & OLSON, LLP  
12 560 Mission Street  
13 Twenty-Seventh Floor  
14 San Francisco, CA 94105-2907  
15 Phone: (415) 512-4000  
16 Fax: (415) 512-4077

17 Henry Weissmann (SBN 132418)  
18 [Henry.Weissmann@mto.com](mailto:Henry.Weissmann@mto.com)  
19 MUNGER, TOLLES & OLSON, LLP  
20 355 South Grand Avenue,  
21 Thirty-Fifth Floor  
22 Los Angeles, CA 90071-1560  
23 Telephone: (213) 683-9100  
24 Facsimile: (213) 687-3702

25 Attorneys for Defendant  
26 HTC AMERICA, INC.

27 Dated: May 17, 2012

COVINGTON & BURLING LLP

28 By: /s/ Simon J. Frankel  
Simon J. Frankel  
[sfrankel@cov.com](mailto:sfrankel@cov.com)  
Mali B. Friedman  
[mfriedman@cov.com](mailto:mfriedman@cov.com)  
COVINGTON & BURLING LLP  
1 Front St., 35th Floor  
San Francisco, CA 94111  
Phone: (415) 591-6000  
Fax: (415) 591-6091

Attorneys for Defendant  
HUAWEI DEVICES USA, INC.

1 Dated: May 17, 2012

SHEARMAN & STERLING LLP

2 By: /s/ James Donato

3 James Donato (SBN (146140)  
4 [jdonato@shearman.com](mailto:jdonato@shearman.com)  
5 SHEARMAN & STERLING LLP  
6 Four Embarcadero Center, Suite 3800  
7 San Francisco, CA 94111-5994  
8 Phone: (415) 616-1100  
9 Fax: (415) 616-1199

Attorneys for Defendants  
LG Electronics U.S.A., Inc.,  
LG Electronics MobileComm U.S.A.,  
Inc.  
LG Electronics Mobile Research  
U.S.A., LLC

10 Dated: May 17, 2012

WINSTON & STRAWN LLP

11 By: /s/ Norman K. Beck

12 Norman K. Beck  
13 [nbeck@winston.com](mailto:nbeck@winston.com)  
14 WINSTON & STRAWN LLP  
15 35 W. Wacker Drive  
16 Chicago, IL 60601-9703  
17 Phone: (312) 558-5600  
18 Fax: (312) 558-5700

Representing Defendant  
MOTOROLA MOBILITY, INC.

18 Dated: May 17, 2012

H.C. PARK & ASSOCIATES, PLC

19 By: /s/ Wayne M. Helge  
20 Wayne M. Helge

21 8500 Leesburg Pike  
22 Suite 7500  
23 Vienna, VA 22182  
24 Phone: (703) 288-5105  
25 Fax: (703) 288-5139

Attorneys for Defendant  
PANTECH WIRELESS, INC.

1 Dated: May 17, 2012

LOEB & LOEB LLP

2 By: /s/ Christine M. Reilly  
3 Christine M. Reilly

4 Michael L. Mallow  
5 [mmallow@loeb.com](mailto:mmallow@loeb.com)  
6 Christine M. Reilly  
7 [creilly@loeb.com](mailto:creilly@loeb.com)  
8 LOEB & LOEB LLP  
9 10100 Santa Monica Blvd., Suite 2200  
10 Los Angeles, CA 90067  
11 Phone: (213) 282-2361  
12 Fax: (213) 652-1830

Attorneys for Defendant  
RESEARCH IN MOTION  
CORPORATION

13 Dated: May 17, 2012

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

14 By: /s/ Lance A. Etcheverry

15 Lance A. Etcheverry  
16 [lance.etccheverry@skadden.com](mailto:lance.etccheverry@skadden.com)  
17 300 South Grand Avenue, Suite 3400  
18 Los Angeles, California 90071  
19 Phone: (213) 687-5000  
20 Fax: (213) 687-5600

Attorneys for Defendants  
SAMSUNG ELECTRONICS  
AMERICA, INC. and SAMSUNG  
TELECOMMUNICATIONS  
AMERICA, LLC.

1 Dated: May 17, 2012

PERKINS COIE LLP

2 By: /s/ Timothy L. Alger  
3 Timothy L. Alger (CSB 160303  
4 [talger@perkinscoie.com](mailto:talger@perkinscoie.com)  
5 PERKINS COIE LLP  
6 3150 Porter Drive  
7 Palo Alto, CA 94304  
8 Phone: (650) 838-4300  
9 Fax: (650) 838-4350

10 Amanda J. Beane (WA 33070)  
11 abeane@perkinscoie.com  
12 PERKINS COIE LLP  
13 1201 Third Avenue, Suite 4800  
14 Seattle, WA 98101-3099  
15 Phone: (206) 359-3965  
16 Fax: (206) 359-4965

17 Attorneys for Defendant  
18 Sprint Spectrum L.P. (also erroneously  
19 sued as Sprint Nextel Corp.)  
20 and Sprint Solutions, Inc.

**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Brian R. Strange, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: May 17, 2012

Respectfully submitted,

/s/ Brian R. Strange  
Brian R. Strange  
STRANGE & CARPENTER  
12100 Wilshire Blvd, Suite 1900  
Los Angeles, California 90025  
(310) 207-5055  
Fax: (310) 826-3210  
LACounsel@earthlink.net